

Prob12B
D/NV Form
Rev. July 2013

United States District Court
for
the District of Nevada

REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER
Probation Form 49 (Waiver of Hearing) is Attached
July 18, 2014

Name of Offender: WILLIAM POSTORINO

Case Number: 2:12-CR-71-MMD-VCF

Name of Sentencing Judicial Officer: Honorable Miranda M. Du

Date of Original Sentence: June 3, 2013

Original Offense: Felon in Possession of a Firearm

Original Sentence: 30 months imprisonment; three years supervised release

Date Supervision Commenced: June 17, 2014

PETITIONING THE COURT

☐ To extend the term of supervision _____ Months, for a total term of _____ Months.

☒ To modify the conditions of supervision as follows:

- 1. You shall complete 24 hours of community service within 60 days, as approved and directed by the probation officer.**

CAUSE

On July 5, 2014, Mr. Postorino reported to Westcare for his drug testing and submitted a positive urinalysis for THC metabolite. The sample was submitted to the national laboratory for confirmation, and on July 10, 2014, the results came back positive for THC metabolite.

On July 7, 2014, Mr. Postorino reported the probation office to discuss his positive urinalysis. Initially, Mr. Postorino denied using marijuana and stated that he was at a concert on July 4, 2014, and must have received a contact high as the people around him were smoking marijuana. The probation officer stated that contact highs aren't possible and that our office can't help him if he isn't being honest with us. Mr. Postorino then admitted to taking one puff from a marijuana cigarette at the concert. He then stated that it was a stupid mistake and that he just wants to perform well on supervision and that's why he was

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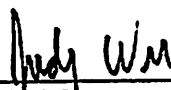
RE: WILLIAM POSTORINO

honest about his usage.

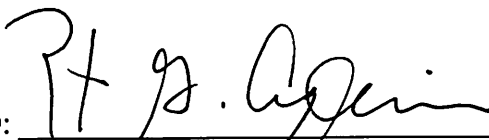
Mr. Postorino is currently enrolled in substance abuse treatment and his first session was on July 18, 2014.

As a controlling intervention, Mr. Postorino was verbally admonished for his violation. As a correctional intervention, our office respectfully requests that Your Honor impose a sanction of 24 hours of community service. After being advised of his right to a hearing and counsel, Mr. Postorino signed a waiver to modify his conditions of supervised release accordingly.

Respectfully submitted,




JUDY WU
United States Probation Officer

APPROVED: 

ROBERT G. AQUINO, Supervising
United States Probation Officer

THE COURT ORDERS:

- _____ No action
- _____ The extension of supervision as noted above
- MMD _____ The modification of conditions as noted above
- _____ Other



Signature of Judicial Officer

July 21, 2014

Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. **Community Service** - You shall complete 24 hours of community service, as approved and directed by the probation officer.

Witness


U.S. Probation Officer

Signed


Probationer or Supervised Releasee

July 18, 2014

Date